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6 **IN THE UNITED STATES DISTRICT COURT**  
7 **FOR THE DISTRICT OF ARIZONA**  
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9 Arizona Libertarian Party, et al.,

10 Plaintiffs,

11 v.

12 Michele Reagan,

13 Defendant.  
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No. CV16-1019 PHX DGC

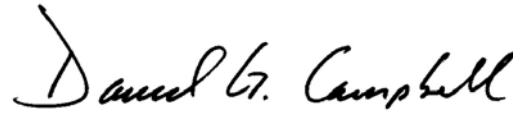
**ORDER**

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16 This matter having recently come before this Court,

17 **IT IS ORDERED** that a motion pursuant to Fed. R. Civ. P. 12(b) is discouraged if  
18 the defect can be cured by filing an amended pleading. Therefore, the parties must meet  
19 and confer prior to the filing of a motion to dismiss to determine whether it can be  
20 avoided. Consequently, motions to dismiss must contain a certification of conferral  
21 indicating that the parties have conferred to determine whether an amendment could cure  
22 a deficient pleading, and have been unable to agree that the pleading is curable by a  
23 permissible amendment. In addition, parties shall endeavor not to oppose motions to  
24 amend that are filed prior to the Scheduling Conference or within the time set forth in the  
25 Rule 16 Case Management Order. Motions to dismiss that do not contain the required  
26 certification are subject to be stricken on the Court's motion.  
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1           **IT IS FURTHER ORDERED** that Plaintiff serve a copy of this Order on  
2 Defendant and file a notice of service with the Court.

3           Dated this 13th day of April, 2016.

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8           David G. Campbell  
9           United States District Judge  
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